REMARKS

Claims 1, 3 – 15, 17 – 28 are pending in the application. The specification has been amended to correct several typographical errors and to provide antecedent support for the computer readable medium claims 15 and 17 – 28. Claims 1, 8, 10, 13 – 15, 22, 24, and 27 – 28 have been amended. Applicant respectfully request that the Examiner enter this amendment after final rejection and reconsider claims 1, 3 – 15, and 17 – 28.

The Examiner objected to the specification is as failing to provide proper antecedent basis for the originally claimed subject matter. Claims 15 – 28 in the application as originally filed claimed "a computer readable medium with program instructions for submitting ratings for a wireless device application." The specification does not specifically refer to a computer readable medium, although the method and system are clearly implemented as software processes that can be distributed on a physical computer readable medium. The specification has been amended to provide support for the original claims 15 – 28. No new matter has been added.

The Examiner rejected Claims 1, 3 – 15, and 17 – 28 under 35 U.S.C. § 103(a) as being unpatentable over *Sato et al.* (U.S. Pub. 2002/0062268), in view of *Ross et al.* (U.S. Patent No. 6,792,244). This rejection is respectfully traversed.

With respect to claims 1 and 15, the Examiner stated that *Sato et al.* discloses all limitations of claims 1 and 15 except for submitting a rating for a wireless device application. The Examiner is relying on *Ross et al.* for teaching submitting a rating for a wireless device application.

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Sato et al. is a newly applied reference that discloses a scheme for presenting recommended items though a network based on an access logs from an item provider server and user preferences, in which a user specifies an item and enters a rating for the item (Para. 58). The access log of items is a log of viewing or purchasing items that can be formed by a client identifier, an item identifier, and date and time of viewing/purchasing (Para. 60).

Ross et al. is also a newly applied reference that discloses collecting end user opinions of applications and data in a wireless communications network. The system identifies end users that have downloaded software applications and/or data to a wireless device and collects end user opinion through transmission of a targeted questionnaire for the wireless device (see abstract). The system monitors the end user's use of the application and after predetermined criteria are met, prompts the end user to complete a questionnaire (col. 2, ll. 1 – 20). The system server receives the end user's opinion (col. 5, ll. 50 – 54), and forwards or offers the opinion to the software vendor, depending on whether or not the software vendor is a subscriber to the service (col. 6, ll. 29 – 39). *Ross et al.* discloses that the questionnaire can ask any relevant data for the application, such a user like or dislike, likelihood to download another application, or any other marketing question (col. 5, ll. 44 – 49). *Ross et al.* does not disclose submitting a rating for a wireless device application.

To further differentiate claims 1 and 15 from the teachings of *Sato et al.* and *Ross et al.*, the claims have been amended to recite the step of "determining a composite rating for the wireless device application based on the rating received from a plurality of wireless devices and making the composite rating accessible to a wireless device user." Support for this amendment is found at least at page 7, ll. 1 – 7. There is no teaching in either *Sato et al.* or *Ross et al.* of determining a composite rating from a plurality of wireless devices and making the composite

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rating available to a wireless device user. In particular, *Sato et al.* discloses (Para. 89 – 107, and Figs. 7 – 10) a method for recommending items for a client from a recommended item presentation service provider. The recommendations are based on extraction of a group of highly rated items received previously from the requesting client identifier, from which a group of related client identifiers are extracted from an access log map management unit, and a list of highly rated items are extracted based on the related client identifiers to determine the recommended item list. The recommended item list is returned to the requesting client. In addition, Fig. 6 of *Sato et al.* discloses that item ratings are stored in an item rating memory unit for each client identifier. In other words, the ratings for individual items transmitted to the recommended item presentation service provider are stored in an individual client's data record. *Sato et al.* does not disclose determining a composite rating for each wireless application (or for any item). Furthermore, *Sato et al.* teaches away from making a composite rating available to a wireless device user since *Sato et al.* provides only a recommended item list to a requesting client who has submitted item ratings in the past. Therefore, claims 1 and 15 are allowable over the combination of *Sato et al.* and *Ross et al.*

Claims 3 – 9 and 17 – 23 depend from claims 1 and 15, respectively, and are allowable over the combination of *Sato et al.* and *Ross et al.* for at least the same reasons stated for claims 1 and 15.

Regarding independent claims 10 and 24, both independent claims have been amended in the same manner as claims 1 and 15. Specifically, claims 10 and 24 have been amended to recite the step of "determining a composite rating for the wireless device application based on the rating received from a plurality of wireless devices and making the composite rating accessible to a wireless device user." Applicant incorporates by reference the arguments

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concerning the teachings of *Sato et al.* and *Ross et al.* made for the allowability of claims 1 and 15. There is no teaching in either *Sato et al.* or *Ross et al.* of determining a composite rating for a wireless application based on ratings received from a plurality of wireless devices and making the composite rating available to a wireless device user. Therefore, claims 10 and 24 are allowable over the combination of *Sato et al.* and *Ross et al.*

Claims 11 – 12 and 25 – 26 depend from claims 10 and 24, respectively, and are allowable over the combination of *Sato et al.* and *Ross et al.* for at least the same reasons stated for claims 1 and 15.

Regarding independent claims 13 and 27, and independent claims 14 and 28, each claim has been amended to recite the step of "determining a composite rating for the wireless device application based on the rating received from a plurality of wireless devices and making the composite rating accessible to a wireless device user." Applicant incorporates by reference the arguments concerning the teachings of *Sato et al.* and *Ross et al.* made for the allowability of claims 1 and 15. There is no teaching in either *Sato et al.* or *Ross et al.* of determining a composite rating for a wireless application based on ratings received from a plurality of wireless devices and making the composite rating available to a wireless device user. Therefore, claims 13 and 27 are allowable over the combination of *Sato et al.* and *Ross et al.* Likewise, claims 14 and 28 are allowable over the combination of *Sato et al.* and *Ross et al.*

In view of the above remarks, it is submitted that the objection to the specification and the claim rejections of the Examiner have been properly addressed and the pending claims are in condition for allowance. It is respectfully requested that the Examiner enter this amendment after final action, and reconsider and withdraw the rejections of the pending claims. It is also

requested that the Examiner contact Applicant's attorney at the telephone number listed below

should this response not be deemed to place this application in condition for allowance.

Respectfully submitted,

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